

### § 5374. Miscellaneous positions in the executive branch

The head of the agency concerned shall fix the annual rate of basic pay for each position in the executive branch specifically referred to in, or covered by, a conforming change in statute made by section 305 of the Government Employees Salary Reform Act of 1964 (78 Stat. 422), or other position in the executive branch for which the annual pay is fixed at a rate of \$18,500 or more under special provision of statute enacted before August 14, 1964, which is not placed in a level of the Executive Schedule set forth in subchapter II of this chapter, at a rate equal to the pay rate of a grade and step of the General Schedule set forth in section 5332 of this title. The head of the agency concerned shall report each action taken under this section to the Office of Personnel Management and publish a notice thereof in the Federal Register, except when the President determines that the report and publication would be contrary to the interest of national security.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 473, § 5364; renumbered § 5374 and amended Pub. L. 95-454, title VIII, § 801(a)(3)(A)(ii), title IX, § 906(a)(2), Oct. 13, 1978, 92 Stat. 1221, 1224.)

#### HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2213.	Aug. 14, 1964, Pub. L. 88-426, § 309, 78 Stat. 433.

The word “office” is omitted as included in “position”. The words “before August 14, 1964” are substituted for “prior to the date of enactment of this Act”. The words “pursuant to section 303 of this Act” are omitted as surplusage.

Standard changes are made to conform to the definitions applicable and the style of this title as outlined in the preface to the report.

#### REFERENCES IN TEXT

Section 305 of the Government Employees Salary Reform Act of 1964, referred to in text, means section 305 of Pub. L. 88-426, Aug. 14, 1964. For complete classification of this section to the Code, see Tables.

#### AMENDMENTS

1978—Pub. L. 95-454, § 906(a)(2), substituted “Office of Personnel Management” for “Civil Service Commission”.

#### EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by section 906(a)(2) of Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

### § 5375. Police force of the National Zoological Park

The Secretary of the Smithsonian Institution shall fix the annual rates of basic pay for positions on the police force of the National Zoological Park as follows:

(1) Private, not more than the maximum annual rate of basic pay payable for grade GS-7 of the General Schedule.

(2) Sergeant, not more than the maximum annual rate of basic pay payable for grade GS-8 of the General Schedule.

(3) Lieutenant, not more than the maximum annual rate of basic pay payable for grade GS-9 of the General Schedule.

(4) Captain, not more than the maximum annual rate of basic pay payable for grade GS-10 of the General Schedule.

(Added Pub. L. 91-34, § 1(a), June 30, 1969, 83 Stat. 41, § 5365; amended Pub. L. 94-183, § 2(20), Dec. 31, 1975, 89 Stat. 1058; renumbered § 5375, Pub. L. 95-454, title VIII, § 801(a)(3)(A)(ii), Oct. 13, 1978, 92 Stat. 1221; Pub. L. 101-263, § 1(a), Apr. 4, 1990, 104 Stat. 125; Pub. L. 102-378, § 2(33), Oct. 2, 1992, 106 Stat. 1350.)

#### REFERENCES IN TEXT

General Schedule, referred to in text, is set out under section 5332 of this title.

#### AMENDMENTS

1992—Par. (2). Pub. L. 102-378 substituted “GS-8” for “GS-8.”.

1990—Pub. L. 101-263 inserted “the” before “National” in section catchline and amended text generally. Prior to amendment, text read as follows: “The Secretary of the Smithsonian Institution shall fix the per annum rates of basic pay of positions on the police force of the National Zoological Park in accordance with the following provisions:

“(1) Private—not more than the rate for GS-7, Step 5;

“(2) Sergeant—not more than the rate for GS-8, Step 5;

“(3) Lieutenant—not more than the rate for GS-9, Step 5;

“(4) Captain—not more than the rate for GS-10, Step 5.”

1975—Pub. L. 94-183 struck out designation “(a)” at beginning.

#### EFFECTIVE DATE OF 1990 AMENDMENT

Section 2 of Pub. L. 101-263 provided that: “The amendments made by section 1 [amending this section] shall apply with respect to pay periods beginning after the date of the enactment of this Act [Apr. 4, 1990].”

#### EFFECTIVE DATE

Section 3(a) of Pub. L. 91-34 provided that: “The foregoing provisions of this Act [enacting this section and amending sections 5102 and 5109 of this title and section 193n of former Title 40, Public Buildings, Property, and Works] shall become effective at the beginning of the first pay period which commences on or after the date of enactment of this Act [June 30, 1969].”

#### REDUCTION OF BASIC PAY RATE

Section 3(b) of Pub. L. 91-34 provided that: “No rate of basic pay shall be reduced by reason of the enactment of this Act [enacting this section and amending sections 5102 and 5109 of this title and section 193n of former Title 40, Public Buildings, Property, and Works].”

### § 5376. Pay for certain senior-level positions

(a) This section applies to—

(1) positions that are classified above GS-15 pursuant to section 5108; and

(2) scientific or professional positions established under section 3104;

but does not apply to—

(A) any Senior Executive Service position under section 3132; or

(B) any position in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service under section 3151.